

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-11, 15-22 and 57 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Claims 12-14 and 23-56 are canceled.

The Specification was objected to because of various informalities. The reference to "I2C interface 1130" has now been corrected to "I2C interface 1134" and the erroneous previous correction has been undone. Accordingly, Applicants believe this objection has been overcome.

Claim 57 was rejected under 35 U.S.C. § 102(b) as being anticipated by Christiano (U.S. Patent 5,671,412). Claims 1-10 and 15-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneier et. al. (U.S. Patent 5,768,382) in view of Christiano (U.S. Patent 5,671,412). Applicants' have amended independent claims 1, 17, and 57 to further define the usage control status data in accordance with the disclosure in the Specification at page 101, lines 13-16. Specifically, the present claims recite "said usage control status data comprising a

content identification for said content data, the purchase mode, an identification for said tamper-resistant circuit module, and a user identification for a user who has purchased said content data.” (Claims 1, 17, and 57) The Examiner cites Christiano at Column 10, lines 53-57 to meet the present invention’s “usage control status data” limitation. (Office Action page 6) At the cited location, Christiano states “once a license request is received in step 56, then step 58 is initiated, in which the license request is processed. This includes checking the status of the licenses, the requester, and the license policy and determining if a license should be provided to the requester.” (Column 10, lines 53-57) Hence, Christiano discloses “checking the status” which is not the same as creating status data as required in the present claims. Moreover, Christiano provides no indication of status data having a content identification, a purchase mode, an identification for the tamper-resistant circuit module, and a user identification as required by the present invention. Accordingly, Christiano fails to meet the present invention’s usage control status data limitation. Therefore, for at least this reason, Christiano and Schneier fail to anticipate or obviate the present invention, and the rejected claims should now be allowed.

Claims 18-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneier in view of Christiano and Castor et al. (U.S. Patent 5,590,288). However, Castor is relied upon solely to meet limitations in the dependent claims. However, since the rejected dependent claims inherit the limitations of independent claim 17, the rejection based on the additional reference to Castor should be withdrawn in view of the foregoing discussion.

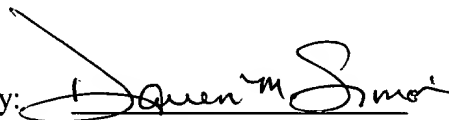
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon", is written over a horizontal line.

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